

MINUTES OF A SPECIAL MEETING

BROOKLYN CITY COUNCIL

August 2, 2005

8:05 p.m.

The Council and all in attendance recited the Pledge of Allegiance.

President Albier: "Mr. Fisk, would you note that the Council meeting is starting at 8:05 instead of 7, and then call the roll please."

Clerk Fisk: "Colleen Gallagher."

"Greg Frey."

"Tom Coyne."

"John Frey."

"Rich Albier."

"Kathy Pucci."

"Rita Brown."

Councilwoman Gallagher: "Here."

Councilman G. Frey: "Here."

Councilman Coyne: "Here."

Councilman J. Frey: "Here."

Councilman Albier: "Here."

Councilwoman Pucci: "Here."

Councilwoman Brown: "Here."

President Albier: "This is a special Council meeting to approve some contracts. We had a Meeting of the Whole from 6:00 till about 8:00, discussing the fire station, and we'll get into that later on. The agenda for tonight's meeting is: Approval of the site plans for the fire station; approval of a contract with the Construction Manager for the fire station; roof repair for the City Hall authorization; and authorization for Construction Manager to proceed with bidding; authorization to seek bids for the construction of the Gateway/Ferris roadway. The first item is the approval of site plans for the fire station. Like I said, we just had a meeting that lasted two hours, and we discussed everything about the fire station. Because originally it was scheduled to be at 3.8 million, and it has ballooned beyond that; and the administration had a list of suggestions on how to bring the price down. And there's a lot of questions that we have to decide yet, so I think it would be best if we would table this and have another meeting on Monday when the advisory committee on the fire station, and also the Fire Chief is out of town, he could be there, and we could answer a lot of these questions. So if any Councilperson cares to comment on that, I think we should table this and have a meeting on Monday when everybody could be there."

Councilman G. Frey: "Rich."

President Albier: "Yes Gregory."

Councilman G. Frey: "We have a lot of things to talk about, about what's going to be in this project, what's not. I really think we ought to move ahead with the site, because if we don't get that site prepared... We're all in agreement, I think, that we've got to bring in the fill, we've got to compact the fill, we've got to put in retention walls, and we've got to go with the site plan we have. We may be adjusting what's on that site, but if we delay much longer the start of the site preparation, we're going to run into not being able to get that thing under roof by the time the winter breaks here."

Councilman J. Frey: "Rich, how are we going to change the site plan? They've told us what the site plan is. It may change once it gets under construction."

Mayor Patton: "What's on there now, if I'm not mistaken, please correct me, the site excavation plan is what we're passing this evening, correct? It's for excavation. It is the bid that has gone out, and we do have a contractor at \$977,000. That was the bid."

Director Kappler: "That is correct."

Mayor Patton: "That is the site plan approval."

Councilman G. Frey: "I think we ought to go ahead with that to..."

Councilman J. Frey: "I move we approve the site plan."

President Albier: "Wait a minute. When I said this I meant that we were going to do the site plan separately. I'm talking about the plans for the actual fire station. I also think, we've got to do the site plan tonight."

Councilman G. Frey: "That's fine. Then I apologize Rich, I didn't mean..."

Councilwoman Pucci: "You know, maybe we need some clarification. We have approval of the site plan and then approval of the contract with the construction manager, the roof repair, then the authorization for the construction manager to proceed with bidding. That might be where..."

Mayor Patton: "That is the one we should hold."

Councilwoman Pucci: "Okay."

President Albier: "Alright, here's what we're going to vote on. This comes from Mr. Kappler. It says, 'Dear Mayor and Councilmembers. I hereby request authorization to enter into an agreement with Great Lakes Crushing Company for the site development for the new fire station. The cost associated with the site development is \$977,000.' And it was explained to us this is approximately \$300,000 more than we originally thought. But the reason it's more is because we have to build retainer walls, I think they're what, about eight foot high, and fill it in. And this is what has brought the price up to there. Is that correct?"

Director Kappler: "That is correct."

President Albier: "Okay, now does any Councilman care to question Mr. Kappler or our city engineer on this?"

Councilman G. Frey: "I move we approve the site plan..."

Councilman J. Frey: "I second it."

Councilman G. Frey: "...moving ahead with the site plan."

Councilman J. Frey: "I second it."

Councilwoman Pucci: "But this is authorizing the agreement."

President Albier: "This is authorizing the agreement with Great Lakes Crushing Company for site plan development. Greg's made a motion and someone's seconded it."

Councilman J. Frey: "I second."

Councilwoman Brown: "Second."

Councilwoman Pucci: "Second."

Councilwoman Gallagher: "To suspend the rules, Colleen Gallagher."

"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."

Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."

Clerk Fisk: "To authorize the Mayor to enter into an agreement with Great Lakes Crushing to develop the site for the new fire station, Colleen Gallagher."

"Greg Frey."
"Tom Coyne."

Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."

"John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."

President Albier: "Okay Mr. Kappler."

Director Kappler: "That's one."

President Albier: "The next one is, 'Dear Mayor and members of Council...' This is also from Mr. Kappler. 'I hereby request authorization to enter into an agreement with Tremco, Inc. for the repair of the City Hall's front entrance roof. The cost associated with this project is \$44,687.17 and is under the State of Ohio contract number 775564C.' Mr. Kappler, would you explain this please?"

Director Kappler: "Approximately six years ago Tremco was contracted out by the City of Brooklyn and did the roofs on City Hall, Senior Center, Service Garage and Rec Center. Two areas that were not addressed were the front entrance to City Hall and also our Conference Room, because at that point in time those roofs were approximately five years old. And within the last six years we've developed leaks in the front entrance. And I had it evaluated approximately three months ago, and they told us at that time that it was time for a new roof. Fortunately, Tremco now has a state contract for roofing, and we're able to use them without going to bid. And we've had several leaks, and we've had it patched a couple of times within the last year."

Councilman J. Frey: "Move we approve the contract for the roof repairs for the roof repair at City Hall."

Councilman Coyne: "Second."

President Albier: "Does any Councilman have any questions for Mr. Kappler? Would you call the vote Mr. Fisk?"

Clerk Fisk: "To authorize the city to enter into an agreement for roof repairs with Tremco, Colleen Gallagher."

"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."

Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."

President Albier: "Okay, the next one is approval of a contract with the Construction Manager for the fire station. And Mr. Shaper presented this to us at the last meeting, and we worked out all the details, and they need some figures to put in there, and I believe we decided on \$4,050,000. Would you explain this Mr. Shaper?"

Director Shaper: "Here's what I'm suggesting to President Albier. I'm suggesting that we take the AIA document that is in your packet and substitute Article 13 that I drafted for the Article 13 that is in the AIA contract. I am also stating that the addendum, which I supplied to you in your Council packet, is made part of the contract. And the third additional change that I want to state is that the \$4,050,000 discussed in the incentive portion of the compensation in Article 13 is raised by the dollar amount of any deletions of the 29 deletions that are placed back in by Council. If people have questions, please ask me."

President Albier: "Does any Councilperson want to ask a question? We discussed this at length at the meeting before. I need a motion to..."

Councilman Coyne: "So move."

President Albier: "...accept the contract."

Councilwoman Pucci: "Second."

Clerk Fisk: "To authorize the city, the Mayor, to enter into a contract with the Construction Manager as per the AIA documents provided by Mr. Shaper, Colleen Gallagher." Councilwoman Gallagher: "Yea."

"Greg Frey."

Councilman G. Frey: "Yea."

"Tom Coyne."

Councilman Coyne: "Yea."

"John Frey."

Councilman J. Frey: "Yea."

"Rich Albier."

Councilman Albier: "Yea."

"Kathy Pucci."

Councilwoman Pucci: "Yea."

"Rita Brown."

Councilwoman Brown: "Yea."

President Albier: "The next one is, 'Dear Mayor and members of Council. I hereby request authorization for the Construction Manager to seek bids on the various bid packages needed to complete construction of the new fire station.' I think we should..."

Councilman G. Frey: "Hold that till Monday?"

President Albier: "We'll hold this till Monday. I need a motion though to table it."

Councilwoman Pucci: "May I be recognized?"

President Albier: "Yes, yes Mrs. Pucci."

Councilwoman Pucci: "I just wanted to say that I do agree that we should hold this until Monday when the Fire Chief is back. When building new facilities, Brooklyn has always done a first class job. Whether it's the Rec Center, City Hall, the Natatorium, the library. I'm certainly not advocating that we over spend, but I do think we want to end up with something that we can all be proud of, and also make sure we meet our needs for the next 50 years. I do have an issue with the training tower. I personally never heard it discussed an alternate. And as I stated before in the work session, I know, I think there's a little bit of a misunderstanding all around on that. Yes, it's a new concept. But Brooklyn is not a follower, we've always been a leader, especially in the area of safety. Even having the first state-certified paramedic program, when that was a new concept. And that involved paying to train our people, and purchasing a new ambulance. And it wasn't cheap, and it was a new concept in the arena of safety. Our firefighters do not have very many opportunities to actively train. The occasional house that they can burn, but there aren't too many of those left in Brooklyn. It's really the same concept as, why do we have a shooting range for the police. How often do our police officers, God forbid, actually have to shoot anyone? But the point is that they have to be prepared in the event that they find themselves in that situation. I'm also uncomfortable having the discussions of the cuts with the Fire Chief being on vacation. I don't have a problem with some of the cuts that were proposed, and I do appreciate all the explanations that we were given tonight. But this is a once in a lifetime investment that we're making in our community, and I want to make sure that we have the components that our firefighters need to protect our citizens now and in the future. And I don't see why we shouldn't have a state of the art facility, just like all our other facilities were built. So I do agree with holding this off until Monday."

Councilman J. Frey: "Mr. President."

President Albier: "Yes Mr. Frey."

Councilman J. Frey: "Yes, I've been here through the building of all these facilities. The fire station, the Rec Center, the City Hall addition, the Senior Center addition, and yes, the best methods were used. Buildings were... Yet even under those conditions there were a lot of changes had to be made later on. We know there was problems over at the Rec Center with the façade and what have you, and the concrete in buildings. Those things happen over time. But you don't go into it without putting the best in to begin with. And yes, we're all interested in the Fire Department having the best of services. I had an occasion about a month ago to use the 9-1-1 call on an accident in my house where my wife injured herself, and we had the tremendous service of our Fire Department immediately to get her to an emergency ward and get her patched up. So yes, I owe the Fire Department big time for that service. And we all owe our Fire Department big time. So we should provide the best we can. All of us feel that way. It's not just one person's opinion, we're all of the same opinion. That's all."

President Albier: "Thank you Mr. Frey. Anyone else care to speak? Okay, I think it would be a good idea that we have a motion to table this until Monday night, and then I'll announce a time. We'll have a meeting on Monday, and Mayor, we'd like everyone there so we can have all these questions answered, the committee for the fire station, and everyone that's involved with this, to be there at the meeting."

Mayor Patton: "Very good."

Councilwoman Pucci: "Move to table until Monday evening, a meeting Monday evening."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To table the authorization for the construction manager to move forward with the bids, Colleen Gallagher."

"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."

Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."

President Albier: "Okay, I'm making the announcement now, the meeting will be at 7:00 next Monday."

Councilman Coyne: "Can we make it at 6?"

President Albier: "It's up to Council. Does anyone... Mr. Coyne wants it at 6."

Councilwoman Pucci: "I'm flexible."

Councilwoman Gallagher: "How about 6:30?"

President Albier: "Alright, we'll compromise. The meeting will be at 6:30 on Monday night."

Councilwoman Brown: "Okay."

Councilman Coyne: "Thank you."

President Albier: "Okay. Next is authorization to seek bids for construction of Gateway/Ferris roadway."

Councilwoman Pucci: "Move to authorize for bids."

Councilman J. Frey: "Second."

Mayor Patton: "Cost is zero to the city."

President Albier: "I want Mr. Ockington to say a few words about this first, before we vote."

Comm. Ockington: "This project has been in negotiation for approximately 10..."

President Albier: "Speak up in the mic."

Comm. Ockington: "This project has been in negotiation between private parties and the county and the state, Department of Development, for about 10 years. The roadway serves the Ferrous Metal Products, the old Ames store, and Cuyahoga County Department of Board of Mental Retardation. The funding will be by the state, by Cuyahoga County and private parties, and will be of no cost to the City of Brooklyn. It will hopefully spur economic development in the area."

President Albier: "Mayor, do you want to read who's contributing what?"

Mayor Patton: "The Cuyahoga County Department of Development, \$194,333; the State of Ohio Department of Development, \$50,000; Cuyahoga County Engineer's Office, in-kind services valued at \$60,000; private funds in escrow from previous owner of 11109 and 11111 Memphis Avenue, \$50,000; private funding by Gateway Park, \$34,683; private funding by Ferrous Metal Processing, \$84,683. Total estimated project funding is \$473,699. Total estimated cost to the City of Brooklyn, zero."

Councilman G. Frey: "Rich."

President Albier: "Yes Greg."

Councilman G. Frey: "Can I ask a question?"

President Albier: "Certainly."

Councilman G. Frey: "Are we going to be responsible for the maintenance of this road once it's built?"

President Albier: "Yes, it's going to be a city road, correct?"

Mayor Patton: "Once it's accepted."

Councilman G. Frey: "So it'll be dedicated. So we'll be responsible for snow removal and repair and..."

Director Kappler: "It'll be a dedicated street... That is correct."

Councilman G. Frey: "...whatever, like any other street in town."

Director Kappler: "That is correct."

Councilwoman Pucci: "Do we know what's going..."

Director Kappler: "It will be built to our specifications."

Councilman G. Frey: "Is this going to be a heavy duty road? Those are pretty heavy trucks."

Mayor Patton: "Absolutely, yes."

Director Kappler: "Yes."

President Albier: "And hopefully, Greg, I think that the idea behind all this is to open up that other land for industrial use. Yes."

Councilwoman Pucci: "I have a question. Do they know what it's going to be called yet?"

Mayor Patton: "We don't have a name yet. We would suggest that it become something similar to South Memphis so that these places of business could keep their same addresses listed as a Memphis Avenue type address."

President Albier: "Okay, anyone else have a question? I need a motion?"

Councilman J. Frey: "I move we approve."

Councilwoman Pucci: "Second."

Clerk Fisk: "To authorize the city to take bids on the Ferris/Gateway roadway project, Colleen Gallagher."

Councilwoman Gallagher: "Yea."

"Greg Frey."

Councilman G. Frey: "Yea."

"Tom Coyne."

Councilman Coyne: "Yea."

"John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."

Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."

President Albier: "Do you have anything you want to say Mayor?"

Mayor Patton: "Yes, a couple of announcements. On August 6th, that's this Saturday, the Commons at the corner of Biddulph and Ridge Road will be dedicated to Cpl. Timothy Knight at 6 p.m. And there is additional parking at the Biddulph Shopping Center. Again, that's 6 p.m. this Saturday evening. Again I'd like to announce to our residents that Congressman Kucinich has worked very hard for us and secured for the City of Brooklyn \$1.6 million for the upgrade of I-480 and Tiedeman Road interchange. And that has to do with the environmental study on the Tiedeman Road improvement and traffic improvement project. That will have to go through NOACA to be distributed; however, we're still a few months away from getting that settled. But we're delighted to have \$1.6 million from our Congressman. And finally, please remember Home Days. It's going to begin August 12th, which is Friday evening. It'll start at 5:45 with the Brooklyn band playing the National Anthem, and it runs until 11 p.m. on Friday evening. It goes from 1-11 on Saturday evening, and then from 1-9 p.m. on Sunday evening. That's it, thank you."

President Albier: "Thank you Mayor. Does any Councilperson have anything they wish to say?"

Councilman J. Frey: "I move we adjourn."

Councilwoman Pucci: "Second."

Clerk Fisk: "To adjourn, Colleen Gallagher."
"Greg Frey."
"Tom Coyne."
"John Frey."
"Rich Albier."
"Kathy Pucci."
"Rita Brown."

Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."
Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."

Meeting adjourned.

Clerk of Council

M A Y O R